

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57414 of 2017

Arising Out of PS.Case No. -550 Year- 2017 Thana -BANKA District- BANKA

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1. Md. Raja S/O Md. Jalil Alam @ Md. Jalil Ahmad, Resident of Village-
Pipra, Police Station-Barahat, District-Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 15-12-2017 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Banka (Barahat) P.S. Case No.550 of 2017 registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

It is alleged that this petitioner and one other were apprehended by local people, who attempted to remove the transformer of electricity department. The miscreants posed themselves as employee of electricity department. The learned counsel for the petitioner submits that the petitioner is a labourer working with a contractor and he has been apprehended merely on suspicion. He further submits that this petitioner was allegedly apprehended by people at the spot and a seizure was prepared but



seizure list on record does not contain the signature of this petitioner. The petitioner is in custody since 05.09.2017 having clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Banka (Barahat) P.S. Case No.550 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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